

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

JAMES MILLER, *et al.* §
v. § CIVIL ACTION NO. 6:11CV22
BAC HOME LOANS SERVICING, LP, *et al.* §

ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The [Report and Recommendation](#) recommends that Defendant's Motion to Dismiss Plaintiffs' First Amended Complaint (document [#32](#)) be granted and that the complaint be dismissed with prejudice. Plaintiffs filed [written objections](#) to the Report and Recommendation on April 6, 2012.

Having made a *de novo* review of the written objections filed by Plaintiffs, the Court finds that the findings and conclusions of the Magistrate Judge are correct and the objections are without merit. The Court, therefore, adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

ORDERED that Defendant's Motion to Dismiss Plaintiffs' First Amended Complaint (document [#32](#)) is **GRANTED**. The complaint is **DISMISSED** with prejudice. Any motion not previously ruled on is **DENIED**.

So ORDERED and SIGNED this 11th day of April, 2012.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE